IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 28TH MAY 2007 / 7TH JYAISHTA 1929

Bail Appl..No. 2898 of 2007()

CRIME NO.142/2007 OF AREACODE POLICE STATION

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PETITIONER/ACCUSED:

RAFEEQUE. P., S/O.ABDUL AZEEZ PARAKUTH,
MUNDUMOOZHI, VAZHAKKAD P.O.,
MALAPPURAM DISTRICT.

BY ADV. SRI.BABU S. NAIR

RESPONDENTS:

THE STATE OF KERALA, REPRESENTED BY
THE SUB INSPECTOR OF POLICE,
AREACODE POLICE STATION-THROUGH THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, KOCHI-31.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No.2898/2007

Dated this the 28th day of May, 2007

O R D E R

The petitioner who is the second accused in Crime No.142/2007 of Areacode Police Station for offences punishable under Sections 353 and 283 IPC read with section 34 I.P.C., seeks anticipatory bail. The occurrence took place on 21.4.2007.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation and then to have his application for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioner shall surrender before the investigating officer on any day between 4-6-2007 and 6-6-2007 for the purpose of interrogation and recovery of incriminating material, if any. The petitioner shall thereafter be produced on the same day before the Magistrate who shall consider his application for regular bail preferably on the same date on which such application is filed.

This petition is disposed of as above.

V.RAMKUMAR
JUDGE

mrcs